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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201				
EXAMINER				
BAROT, BHARAT				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/619,332

**Applicant(s)**

GUO ET AL

**Examiner**

Bharat N. Barot

**Art Unit**

2455

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-11, 13-16 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-16, and 25-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)**

1. Claims 1, 3-11, 13-16, and 25-31 are pending and remain for further examination.

**The new grounds of rejection**

2. Applicants' arguments and amendments with respect to claims 1, 3-11, 13-16, and 25-31 and request for continued examination (RCE) filed on April 29, 2009 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

**Claim Objection**

3. Claim 3 is objected to because of the following informalities: Claim 3, line 1 contains "claim 2" (canceled claim) should be --claim 1--. Appropriate correction is required.

**Claim Rejections - 35 USC § 102(e)**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-11, 13-16, and 25-31 are rejected under 35 U.S.C. 102 (e) as being anticipated by Millet et al (U.S. Patent No. 6,865,613). Millet's patent meets all the limitations for claims 1, 3-11, 13-16, and 25-31 recited in the claimed invention.
6. As to claim 1, Millet et al teach that providing a subscribe-notify service with virtual connectivity to perform a method on a computing device (see abstract; figures 1B and 2A-2B; and column 5 line 46 to column 6 line 7) comprising:

receiving at least one network attachment point change event subscription from at least one network attachment point change event subscriber (mobile node), network attachment point change events comprising an indication of a change in a network address of a device on a network from an original network attachment point having an original network attachment point identification to a current network attachment point having a current network attachment point identification (replace a local source address with a global IP address) (figure 2A; and column 6 line 33 to column 7 line 4);

receiving at least one network attachment point change event publication (Internet site) from at least one network attachment point change event publisher, the network attachment point change event publication comprising an identification of an original network attachment point and an identification of a current network attachment point that is different from the original network attachment point, wherein the identification of the original network attachment point and the identification of the current attachment point is synchronized with an entry in a local connection translation table stored locally on a remote peer (map a global IP address with a local address) (figures 2B and 3; and column 7 lines 5-56); and

for each network attachment point change event publication matching a network attachment point change event subscription, notifying the network attachment point change event subscriber of the matching published network attachment point change event, wherein an application layer refers to a current attachment point on the network by using an original network attachment point identification (figure 3; and column 7 line 29 to column 8 line 9).

7. As to claim 3, Millet et al teach that each identification of a network attachment point comprises an Internet protocol (IP) address (column 6 line 64 to column 7 line 14).

8. As to claim 4, Millet et al teach that each network attachment point change event subscription comprises identification of a network attachment point that has attached a communications peer with which the network attachment point change event subscriber has at least one active communication connection (figure 2A; and column 6 line 33 to column 7 line 4).

9. As to claim 5, Millet et al teach that the at least one network attachment point change event publication comprises: a first network attachment point change event publication from a first network attachment point change event publisher; a second network attachment point change event publication from a second network attachment point change event publisher; and matching the first network attachment point change event to each network attachment point change event subscription comprises: determining that the network attachment point change event subscription was placed by the second network attachment point change event publisher; and determining that the

second network attachment point change event occurred within a time interval of the first network attachment point change event (figures 2B and 3; and column 7 lines 5-56).

10. As to claims 6-7, Millet et al teach that matching the network attachment point change event to the network attachment point change event subscription comprises determining that the network attachment point change event subscription was placed by a subscriber with a private network address; and for each network attachment point change event subscriber, determining if the network attachment point change event subscriber has a private network address (figure 3; column 6 lines 8-32; column 7 line 48 to column 8 line 16; and column 10 lines 22-34).

11. As to claim 8, Millet et al teach that each network attachment point change event subscription comprises a network attachment point change event subscriber notification address (MAC address); and determining if the network attachment point change event subscriber has a private network address comprises determining if the network attachment point change event subscriber notification address is in accord with the public source of the network attachment point change event subscription (figures 3-5; column 7 line 48 to column 10 line 21).

12. As to claim 9, Millet et al teach that providing a subscribe-notify service with virtual connectivity to perform a method on a computing device (see abstract; figures 1B and 2A-2B; and column 5 line 46 to column 6 line 7) comprising:

sending a subscribe message to the virtual connectivity subscribe-notify service (translation system) subscribing to at least one network attachment point

change event published by a remote peer, the at least one network attachment point change event comprising a change in a network address of the remote peer (figures 2A-2B; and column 6 line 33 to column 7 line 29);

receiving a notify message from the virtual connectivity subscribe-notify service notifying of a network attachment point change event published by a remote peer (figures 3-5; column 7 line 48 to column 10 line 21); and

synchronizing a previous network address entry associated to a previous network attachment point of the remote peer in a locally stored local connection translation table with a corresponding current network address entry associated to a current network attachment point of the remote peer (figure 3; and column 7 line 29 to column 8 line 9).

13. As to claims 10-11 and 13, Millet et al teach that sending a publish message to the virtual connectivity subscribe-notify service publishing a network attachment point change event, wherein the publish message comprises: an identifier of a previous network attachment point and an identifier of a current network attachment point; and the notify message comprises: an identifier of a previous network attachment point of the remote peer, and an identifier of a current network attachment point of the remote peer (figures 2B and 3; and column 7 lines 5-56).

14. As to claim 14, Millet et al teach that sending a publish message to the virtual connectivity subscribe-notify service publishing a local network attachment point change event (figures 2A-2B; and column 6 line 33 to column 7 line 29);

15. As to claim 15, Millet et al teach that the virtual connectivity subscribe-notify service is located in a public address space (Internet); and the subscribe message is sent from a private address space (Home/Remote network) (figures 1B and 2A-2B).

16. As to claim 16, Millet et al teach that as a result of receiving the notify message, sending a Connection Update Request message to the remote peer requesting a Connection Update message from the remote peer (see abstract; figures 1B and 2A-2B; and column 5 line 46 to column 6 line 7).

17. As to claims 25-31, they are also rejected for the same reasons set forth to rejecting claims 9-11 and 13-16 above, since claims 25-31 are merely an apparatus for performing the method of operations defined in the claims 9-11 and 13-16 and also do not teach or define any new limitations than above claims 1-11 and 13-16.

#### **Response to Arguments**

18. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

#### **Additional References**

19. The examiner as of general interest cites the following references.

- a. Tashjian et al, U.S. Patent No. 7,516,174.
- b. Zhang et al, U.S. Patent No. 7,443,865.



**Contact Information**

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

/Bharat N Barot/

Primary Examiner, Art Unit 2455

June 08, 2009